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William C. Rand, Esq. (WR-7685) LAW OFFICE OF WILLIAM COUDERT RAND 711 Third Ave., Suite 1505 USDC SDNY New York, New York 10017 DOCUMENT (Phone) (212) 286-1425; (Fax)(212) 599-7909 Co-counsel Jeffrey M. Gottlieb, Esq. (JG-7905) DOC#: Berger & Gottlieb, 150 Bast 18th Street, Suite PHR DATE FILED New York, New York 10003; Tel: (212) 228-9795 Attorneys for Plaintiffs UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ALMENA HOYTE, Individually and: on Behalf of All other persons similarly situated Oiv. 3922 (DC) Plaintiffs, NOTICE OF -against-DISMISSAL ELDERCHOICE OF HUDSON VALLEY, INC. and JOHN DOES 1-10, Jointly and Severally, Defendants. PLEASE TAKE NOTICE that Plaintiff ALMENA HOYTE, in accordance with Rule 41 of the Federal Rules of Civil Procedure, hereby dismisses the above captioned action without prejudice and without costs or attorneys' fees to any party. DATED: JULY 18, 2007 LAW OFFICE OF WILLIAM COUDERT RAND William Coudert Rand, Esq. (WR-7685) 711 Third Avenue, Suite 1505, New York, New York 10017; Tel: (212) 286-1425 Attorney for Plaintiffs, Individually, and on Behalf of All Other Persons Similarly Situated 19 Th DAY OF July SO ORDERED THIS